

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARGIE CHERRY and ESTORIA CHERRY,
on behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

THE CITY COLLEGE OF SAN FRANCISCO
("City College") LAWRENCE WONG, in his
official capacity as President of the Board of
Trustees, MILTON MARKS, III, in his official
capacity as Vice-President of the Board of
Trustees, DR. NATALIE BERG, JOHNNIE
CARTER, JR., DR. ANITA GRIER, JULIO J.
RAMOS, RODEL E. RODIS, in their official
capacities as members of the Board of
Trustees, and DR. PHILIP R. RAY, JR., in his
official capacity as Chancellor,

Defendants.

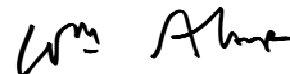
No. C 04-04981 WHA

**NOTICE REGARDING
ISSUE TO BE ARGUED**

Section 504 of the ADA (not of the 1973 Act) required the ATBCB to issue supplemental minimum guidelines, including for Title II. The ATBCB announced its intention to issue Title II guidelines in the future. *See* 56 Fed. Reg. at 35711 (col. 1); *see also* DOE/OCR Manual at p. 171 (top paragraph). Counsel shall trace with precision and without spin the subsequent history on this point at the hearing and may—without enlargement of the page limit—address it in the reply memoranda. Is ADAAG the "minimum" for Title II and, if so, where in the Federal Register does it expressly say so.

IT IS SO ORDERED.

Dated: January 9, 2006



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE